

THE HONORABLE THOMAS S. ZILLY

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

ANTONIO BACHAALANI NACIF; WIES  
RAFI; and HANG GAO, individually and on  
behalf of all others similarly situated,

Plaintiffs,

v.

ATHIRA PHARMA, INC., *et al.*,

Defendants.

CASE NO.: 2:21-cv-00861-TSZ

**DECLARATION OF SARAH EVANS CONCERNING:  
(A) MAILING OF THE NOTICE, CLAIM FORM, AND OPT-OUT FORM;  
(B) PUBLICATION OF THE SUMMARY NOTICE; (C) REQUESTS FOR EXCLUSION  
AND OBJECTIONS RECEIVED TO DATE; AND  
(D) CLAIMS RECEIVED TO DATE**

I, Sarah Evans, declare as follows, pursuant to 28 U.S.C. § 1746:

1. I am a Project Manager of Strategic Claims Services (“SCS”), a nationally recognized class action administration firm. I have over eight years of experience specializing in the administration of class action cases. SCS was established in April 1999 and has administered over five hundred and fifty (550) class action cases since its inception. I have personal knowledge of the facts set forth herein and, if called on to do so, I could and would testify competently thereto.

1                   **MAILING OF THE NOTICE, CLAIM FORM, AND OPT-OUT FORM**

2                   2. Pursuant to the Court’s Order, dated February 15, 2024 (ECF No. 128, the  
3 “February 15, 2024 Order”), and the Court’s Minute Order, dated March 29, 2024 (ECF No. 130,  
4 the “March 29, 2024 Order”; and together with the February 15, 2024 Order, the “Preliminary  
5 Approval Orders”), SCS was appointed as the Administrator in connection with the Settlement<sup>1</sup> of  
6 the above-captioned Action.  
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8                   3. To provide individual notice to those who or which purchased or otherwise  
9 acquired Athira Pharma, Inc. (“Athira”) publicly traded common stock during the period from  
10 September 17, 2020, through June 17, 2021, inclusive (the “Class Period”), SCS, pursuant to the  
11 Preliminary Approval Orders, printed and mailed the long-form Notice, the Proof of Claim Form  
12 (the “Claim Form”), and the Request to Be Excluded From the Class Form (the “Opt-Out Form”;  
13 and together with the Notice and Claim Form, the “Notice Packet”) to potential Class members,  
14 including members of the Securities Act Subclass and the Exchange Act Subclass. A true and  
15 correct copy of the Notice Packet is attached hereto as **Exhibit A**.  
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18                   4. On June 9, 2023 and April 1, 2024, Co-Lead Counsel provided SCS with a total of  
19 four files containing lists of the names and addresses of shareholders of record of Athira publicly  
20 traded common stock during the Class Period, including purchasers in the Initial Public Offering  
21 in September 2020 and the Secondary Public Offering in January 2021, which had been provided  
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26 <sup>1</sup> All terms with initial capitalization not otherwise defined herein shall have the meanings ascribed  
27 to them in the Amended Stipulation and Agreement of Settlement, dated as of December 15, 2023  
28 (ECF No. 125-2, the “Amended Stipulation”) or the Notice of (I) Pendency of Class Action and  
Proposed Settlement; (II) Final Approval Hearing; and (III) Motion for an Award of Attorneys’  
Fees and Payment of Litigation Expenses (the “Notice”).

1 by counsel for Athira. On May 15, 2024, SCS mailed, by first class mail, postage prepaid, the  
2 Notice Packet to the 196 individuals and entities identified on the four shareholder lists.  
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4 5. As in most class actions of this nature, the majority of potential class members are  
5 expected to be beneficial purchasers/owners whose securities are held in “street name” — *i.e.*, the  
6 securities are purchased by brokerage firms, banks, institutions and other third-party nominees in  
7 the name of the nominee, on behalf of the beneficial purchasers/owners. The names and addresses  
8 of these beneficial purchasers/owners are known only to the nominees. SCS maintains a  
9 proprietary master list consisting of banks, brokerage companies, mutual funds, insurance  
10 companies, pension funds, and money managers (“Nominees”). On May 15, 2024, SCS caused a  
11 copy of the Notice Packet to be mailed to the 2,412 Nominees contained in the SCS master mailing  
12 list. The Notice Packet informed the Nominees of the Settlement and stated that they, within seven  
13 (7) calendar days from the date of receipt of the Notice Packet, must either: (a) request sufficient  
14 copies of the Notice Packet to forward to their clients who may be beneficial purchasers/owners,  
15 and within seven calendar days of receipt of the Notice Packets, forward them to all such beneficial  
16 purchasers/owners; or (b) provide SCS with a list of the names and last known mailing addresses  
17 of such beneficial purchasers/owners so that SCS could promptly mail them the Notice Packet.  
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20 6. Pursuant to the instructions provided to Nominees as detailed in paragraph 5 above,  
21 SCS received the names and addresses of 13,240 potential Class members from Nominees. SCS  
22 promptly mailed by first-class mail, postage prepaid Notice Packets to these potential Class  
23 members. SCS also received and fulfilled requests from two Nominees for 12,195 Notice Packets  
24 so that the Nominees could forward them to their clients. Additionally, SCS received a direct  
25 request from one potential Class member that a Notice Packet be mailed to them, and SCS  
26 promptly mailed a Notice Packet to the requestor.  
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1           7.       To date, a total of 25,631 Notice Packets have been mailed to potential Class  
2 members or Nominees.

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4           8.       Out of the 25,631 Notice Packets mailed, 1,255 Notice Packets were returned to  
5 SCS as undeliverable. Of these, the United States Postal Service provided forwarding addresses  
6 for 55, and SCS immediately mailed another Notice Packet to the updated addresses. The  
7 remaining 1,200 Notice Packets returned as undeliverable were “skip-traced” to obtain updated  
8 addresses, and another Notice Packet was promptly mailed to the 669 potential Class members at  
9 the updated addresses obtained by skip-tracing.

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11           9.       On May 15, 2024, SCS also sent the Depository Trust Company (“DTC”) a copy  
12 of the Notice Packet for the DTC to publish on its Legal Notice System (“LENS”). LENS provides  
13 DTC participants, namely Nominees and institutional investors, the ability to search and download  
14 legal notices, as well as receive email alerts based on particular notices or particular CUSIPs once  
15 a legal notice is posted.

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17                   **PUBLICATION OF THE SUMMARY NOTICE**

18           10.       Pursuant to the Preliminary Approval Orders, the Summary Notice of (I) Pendency  
19 of Class Action and Proposed Settlement; (II) Final Approval Hearing; and (III) Motion for an  
20 Award of Attorneys’ Fees and Payment of Litigation Expenses (“Summary Notice”) was published  
21 in *Investor’s Business Daily* and transmitted over *PR Newswire* on June 10, 2024, as shown in the  
22 confirmations of publication attached hereto as **Exhibit B**.

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24                   **TOLL-FREE TELEPHONE LINE AND EMAIL**

25           11.       SCS maintains a toll-free telephone number (1-866-274-4004) for callers to obtain  
26 information about the Settlement. The Notice, Summary Notice, and the Settlement Website  
27 inform potential Class members of this toll-free telephone number. SCS has promptly responded  
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1 to each telephone inquiry and will continue to address inquiries throughout the settlement  
2 administration process.

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4 12. SCS also maintains an email address, info@strategicclaims.net, to respond to  
5 potential Class members' inquiries about the Settlement. The Notice, Summary Notice, and the  
6 Settlement Website inform potential Class members of this email address. SCS has promptly  
7 responded to each email inquiry and will continue to address inquiries throughout the settlement  
8 administration process. To date, SCS has received 99 emails regarding the Settlement.  
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#### 10 **SETTLEMENT WEBSITE**

11 13. On May 15, 2024, SCS established a dedicated website for this Settlement,  
12 www.AthiraSecuritiesSettlement.com (the "Settlement Website"). The Settlement Website is  
13 accessible 24 hours a day, 7 days a week. It contains: (a) a Home Page with summary information  
14 about the Settlement and deadlines; (b) an Important Settlement Documents page that includes  
15 downloadable versions of the Notice, Summary Notice, Claim Form, Opt-Out Form, and Amended  
16 Stipulation; and (c) an Important Court Documents page that includes, *inter alia*, downloadable  
17 versions of the Complaint, the Orders entered on July 29, 2022, February 17, 2023, and September  
18 27, 2023, the Minute Orders entered October 4, 2022 and May 31, 2023 (ECF Nos. 89, 95, 114,  
19 119, 123), the Preliminary Approval Motion, and documents related to the additional preliminary  
20 approval proceedings (ECF Nos. 118, 122, 125, 125-1, 128-130), and the Motion for Attorneys'  
21 Fees and Expenses (ECF No. 131) and Joint Declaration in support thereof (ECF No. 132). The  
22 Settlement Website also contains: (a) an online claim portal for Class members to file claims  
23 electronically; (b) a Nominee page with information about providing names/addresses and filing  
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1 claims; and (c) a Contact Us page, from which potential Class members may contact SCS and,  
2 among other things, request a Claim Form.

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4 14. SCS will continue to maintain the Settlement Website until further order of the  
5 Court and to update the website with additional documents as directed by the Court or Co-Lead  
6 Counsel, including any motion for final approval of the proposed Settlement. To date, the  
7 Settlement Website has received 7,159 page views from 2,086 unique users. In accordance with  
8 the Court's February 15, 2024 Order, monthly screenshots of the Settlement Website are attached  
9 hereto as **Exhibit C**.

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11 **REPORT ON EXCLUSION REQUESTS AND OBJECTIONS TO DATE**

12 15. The Notice, Summary Notice, and Settlement Website inform potential Class  
13 members that written requests for exclusion were to be submitted to SCS by September 6, 2024,  
14 in accordance with the instructions in the Notice. Specifically, the Notice informed potential Class  
15 members that they could request exclusion by writing a letter or submitting the Opt-Out Form to  
16 SCS. The requests for exclusion could be mailed or emailed to SCS. The Opt-Out Form was  
17 included in each mailed Notice Packet, and it was also posted for downloading on the Settlement  
18 Website.  
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20 16. SCS has been monitoring all mail and email received for this Settlement. As of the  
21 date of this declaration, SCS has received six requests for exclusion. **Exhibit D**. Of these six  
22 requests for exclusion, all six requests are valid. The exclusion requests report 123.522484 shares  
23 of Athira common stock purchased during the Class Period.<sup>2</sup> Unredacted copies of the six requests  
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27 <sup>2</sup> SCS also received an Opt-Out Form from a Class member who simultaneously submitted a Claim  
28 Form. When SCS contacted the requester to clarify which action the Class member wanted to  
take, they informed SCS that they wished to withdraw their Opt-Out Form and remain in the Class.

1 for exclusion are being filed under seal with the Court contemporaneously with the filing of this  
2 declaration.

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4 17. The Notice, Summary Notice, and Settlement Website also inform Class members  
5 about the procedures for submitting objections to the Settlement, the proposed Plan of Allocation  
6 (including the *cypres* recipient), and/or Co-Lead Counsel's motion for an award of attorneys' fees  
7 and payment of Litigation Expenses. Class members who are not represented by an attorney were  
8 required to submit written objections to SCS by mail or email so that the objections were  
9 postmarked (or bore other proof of mailing) or emailed by September 6, 2024. Class members  
10 who are represented by an attorney are able to submit their written objections to the Court on or  
11 before October 11, 2024. Class members may also appear at the Final Approval Hearing and  
12 object. To date, SCS has not received any objections.  
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14 **REPORT ON CLAIMS RECEIVED TO DATE**  
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16 18. The deadline for Claimants to submit Claim Forms was September 6, 2024. As of  
17 the date of this declaration, SCS has received 8,283 claims, of which 2,702 have been provisionally  
18 deemed to be valid and 5,581 are provisionally deemed to be deficient or ineligible. The valid  
19 claims represent approximately 19,464,956 damaged shares, and provisionally calculate to total  
20 Recognized Claims under the proposed Plan of Allocation of approximately \$91,067,123.17. Of  
21 this amount, Securities Act Claim Amounts total \$52,174,932.53 and Exchange Act Claim  
22 Amounts total \$38,892,190.64.  
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24 19. SCS is continuing to process the claims received to date and will conduct quality  
25 assurance reviews and audits of claims. SCS's rigorous protocols ensure that, among other things,  
26 claims that do not meet submission standards are marked as invalid, claims have required  
27 supporting documentation, duplicate claims are identified, and potentially fraudulent claims are  
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1 flagged. Claimants whose claims are incomplete or invalid will be notified of SCS's  
2 determinations in writing and given an opportunity to remedy any curable deficiencies in their  
3 claims or to contest SCS's determinations.  
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5 20. With these steps currently outstanding, the figures in paragraph 18 are estimates  
6 and subject to change based upon additional information being provided in the curing process.

7 I declare under penalty of perjury that the foregoing is true and correct.

8 Signed this 26<sup>th</sup> day of September 2024, in Media, Pennsylvania.  
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14 Sarah Evans  
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